

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHIA CORPORATION,

No. C-06-00162 MMC (JCS)

Plaintiff(s),

v.

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION
TO COMPEL [Docket No. 252]**

SEOUL SEMICONDUCTOR, LTD.,
ET AL.,

(E-FILING CASES)

Defendant(s).

The Court has received a Joint Letter dated May 2, 2007 [Docket No. 252], which it interprets as a Motion to Compel (the "Motion"). The Court heard arguments on May 8, 2007, at 10:00 a.m. Nancy J. Geenen and Michael J. Song appeared as counsel for Plaintiff. Beth H. Parker appeared as counsel for Defendants. For the reasons stated on the record, and good cause appearing, IT IS HEREBY ORDERED that the Motion is GRANTED IN PART and DENIED IN PART as follows:

1. The Motion to Compel Boris Kim to appear and answer the questions listed in Exhibit A to the Motion is GRANTED; however, Mr. Kim need not appear and answer those questions with respect to which Defendants satisfy the following conditions: (1) the question was answered by another witness, and (2) Defendants formally adopt by pleading filed with this Court that answer as its 30(b)(6) deposition answer to the question.

2. The Motion to Compel Sang Min Lee to appear and answer further questions is DENIED. Notwithstanding this Court's repeated admonitions that an authentic, in-person, meet-and-confer session between lead trial counsel must occur, during the meet-and-confer session with

1 respect to this Motion, not a single specific question that was posed to Mr. Lee, and that he was
2 unable to answer, was addressed.

3 3. The Motion to Compel Takashi Sakamoto to appear and answer the questions
4 attached as Exhibit C to the Motion, along with appropriate follow-up questions, is GRANTED. Mr.
5 Sakamoto shall be prepared to answer, including all information known to or reasonably available to
6 Plaintiff.

7 4. To the extent that the Motion seeks an extension of the May 2, 2007 cut-off date for
8 the filing of motions to compel responses to deposition questions, the Motion is DENIED based on
9 the current record before the Court. The Court has not addressed the question of whether, in the
10 event that the discovery cut-off for depositions has been extended, or will be extended, a new and
11 different date for motions to compel responses to deposition questions is automatically set by the
12 Local Rules. The Court is also not addressing the question of whether, based on facts that are
13 currently not known to the Court, good cause may appear in the future to extend the deadline to file
14 such motions to compel.

15 IT IS SO ORDERED.

16
17 Dated: May 9, 2007

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19 JOSEPH C. SPERO
United States Magistrate Judge